

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS’ ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA ON MONDAY, APRIL 4, 2005. THE MEETING CONVENED AT 7:00 P.M.

MEMBERS PRESENT:

Chairman George N. Brown, Jr.
Vice Chairman Perry L. Morris
Commissioner Lee Kyle Allen
Commissioner Bill Harper
Commissioner Johnnie Sampson, Jr.
Commissioner M. Renée Sisk
Commissioner Leon C. Staton

STAFF PRESENT:

Harold Blizzard, County Manager
George B. Sawyer, Assistant County Manager
Richard F. Hemphill, County Finance Officer
Ray H. Moser, Human Resources Director
Gwendolyn M. Bryan, Clerk to the Board
James R. Sugg, County Attorney

Following an invocation by Commissioner Allen and the Pledge of Allegiance, Commissioner Sisk moved to approve minutes of March 21, 2005 regular session, seconded by Commissioner Morris and unanimously carried in a roll call vote.

CONSENT AGENDA

Budget Amendments

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board’s approval. Commissioner Allen moved for their approval, seconded by Commissioner Harper and unanimously carried in a roll call vote.

Health/Environmental (Food/Lodging)

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-3101-349-29-00 State Food/Lodging	\$3,756.00	101-3101-420-32-40 Other Supplies	\$3,756.00
TOTAL	\$3,756.00	TOTAL	\$3,756.00

Justification: Additional funds to be received from State for a 96% compliance rate.

Health Department-Asthma Coalition

101-3140-336-05-00 Donations United Way	\$1,804.00	101-3140-420-40-50 Contract Employee	\$1,804.00
TOTAL	\$1,804.00	TOTAL	\$1,804.00

Justification: Received a United Way Grant that will help pay a contract employee which is already in place through TESI.

DSS 7221 Adult Services

101-7221-336-40-00 ENCHAC Ryan White	\$6,384.00	101-7221-450-41-10 Ryan White Purch Ser	\$6,384.00
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TOTAL	\$6,384.00	TOTAL	\$6,384.00
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Justification: Additional \$1,384 awarded from HOPWA Consortia from a 1st quarter allocation; also a third quarter reallocation of \$5,000 from Ryan White funds. There is no County match.

DSS 7291 Mandated Services

101-7291-349-32-00	\$6,126.00	101-7291-450-23-04	\$6,126.00
Energy		CIP	
TOTAL	\$6,126.00	TOTAL	\$6,126.00

Justification: Additional funds received from the State for Crisis Intervention Program. Funds are 100% federal, no match.

Tax Releases and Refunds

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases and refunds for the Board’s approval. Commissioner Allen moved for their approval, seconded by Commissioner Harper and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
ENC WOODMEN YOUTH CAMP INC UNDER APPEAL TO NC PROPERTY TAX COMMISSION	2004-0015738	\$3,537.88
FILLINGAME, PITTMAN DOUBLE LISTED AS REAL	2000-0016004	\$436.66
GARRIS, DAVID EUGENE PROPERTY VACANT	2004-0018710	\$33.12
GRDINA, SETH M MILITARY-HIS NAME ONLY 05 LES-OH ECC-09/03/08	2004-0020655	\$66.13
HARRIS, RUBY HARRIS DOUBLE LISTED WITH ACCT #35616	2004-0091495	\$175.43
LILLY, SAMMY CORRECTING APPRAISAL ERROR	2005-0090011	\$500.25
ROBBINS, TIMOTHY DID NOT OWN 01/01/2004	2004-0091566	\$193.76
7 – CREDIT MEMO (S)		\$4,943.23

Refunds

GARRIS, DAVID EUGENE PROPERTY VACANT	2002-0018264	\$32.88
GARRIS, DAVID EUGENE PROPERTY VACANT	2003-0018381	\$32.88
2 – REFUND (S)		\$65.76

PLANNING MATTERS

7:00 P.M. Public Hearing on Amendments to the Craven County Subdivision Ordinance

At 7:05 p.m. Commissioner Morris moved to go into public hearing, as advertised, seconded by Commissioner Sampson. Planning Director, Don Baumgardner, presented proposed changes to section 901 (e) and section 901.1 on the subdivision ordinance which was adopted on February 7, 2005, by deletion of these two sections. He explained that the recommendation and is a result of opinions received from the Institute of Government stating that the language in sections 901 (e) and 901.1 would be confusing and would have the effect of trying to supersede North Carolina statutes, which is not possible. There were no speakers from the public and at 7:05 Commissioner Sisk moved to go out of public hearing, seconded by Commissioner Sampson. Commissioner Morris moved to approve the amendments to the subdivision ordinance, seconded by Commissioner Harper and unanimously carried.

Request for Building Inspection Fee Increase

Mr. Baumgardner presented a proposal to increase fees for building inspection permits, stating that fees in Craven County have not been increased in more than ten years. He cited a high demand for inspection services, a sharp increase in the price of fuel, increased costs of training and the need for additional inspections staff. The Board was not requested to take action; however, the request will be presented at a later date, to take effect beginning July 1, 2005, as follows:

<u>Type of</u>	<u>Residential</u>		<u>Commercial</u>	
<u>Inspection</u>	<u>Current</u>	<u>Proposed</u>	<u>Current</u>	<u>Proposed</u>
Building	.08/sf	.10/sf	.10/sf	.12/sf
Insulation	.015/sf	.02/sf	.015/sf	.02/sf
Plumbing	\$6/fixture	\$7/fixture	\$8/fixture	\$10/fixture
Mechanical	.04/hsf	.05/hsf	.06/hsf	.08/hsf
Electrical (Temp pole)	\$25	\$40	\$25	\$40
0-50 amps	\$40	----	.40/amp	.50/amp
0-100 amps	\$50	\$60		
101-200 amps	\$60	\$75		
201-300 amps	\$70	\$90		
301-400 amps	\$80	\$105		
Over 400 amps	.30/amp	no change		

Commissioner Allen indicated opposition to the request stating that contractors cannot disengage their liability and further stated that the County will collect ad valorem taxes on buildings for the life of the structure, which should adequately cover costs without raising fees.

PETITIONS OF CITIZENS

Ms. Etta Pierce of Westwood Arms Apartments for senior citizens sought help for senior citizens on cable costs. She stated that in a year's time basic cable for the senior citizens has gone from \$10 to \$14 to \$18 per month. New rates proposed are supposedly a 40% savings; however, still prohibitive to senior citizens whose social security raises are only \$7-\$10 a month, in addition to rent increases. She stated that television is the only outlet for many seniors who are homebound. The Chairman acknowledged the request and stated that the County will voice her concerns with Cox Communications.

Ms. Ella Raynor, Registered Nurse and Executive Director of Coastal Health Resources, a new non-profit organization, presented information on the Community Resource Guide. She solicited support for maintaining the effort in getting the word out concerning the availability of the Resource Guide, which lists 148 agency references and is currently distributed in 36 locations in the community.

Roy Murphy and Buck McCoy spoke about the need to follow through with addressing the beaver problem in the County, and expressed frustration about trash and litter along the roads. Mr. McCoy expressed concern about the adequacy of water lines on Hobbs Road and further commented on the road improvements that are needed on Powell Road, which is traveled by school buses. Mr. Murphy asked that upgrades to water lines be considered for the Hobbs Road area.

Ernestine Williams of Hilliard Road in the Rocky Run area stated that she was denied a permit for a septic system expansion and expressed frustration with the frequent permit denials in her community. She stated that many of the properties are considered wetlands and that part of the problem is ditches not being cleaned and drained, as well as a beaver problem in the area. She asked if there were any solutions that could be offered. The Chairman advised her that the County could help with the coordination of a contractor who could address the beaver problem but that the community and property owners often must bear some expense associated with this service. He explained that the State Department of Environmental and Natural Resources makes and enforces the rules regarding the septic system permits. Commissioner Allen advised her that contact information could be provided to her. The Chairman asked that a community meeting be scheduled with Ms. Williams and the residents of her community along with a representative of DENR, which he would attend.

Joan Turnage spoke concerning the Board's Resolution of Intent to close a section of Middle Street in Bridgeton Heights. She stated if the Board elects to close the street it will take the pressure off of the Commissioners. Robert Rowe in that case would be able to appeal the decision to a higher authority. She stated that if the road is not closed the public access could be expected to create continuing problems.

Robbie Andrews stated that the controversy relative to the access to Middle Street in Bridgeton Heights would continue to be a headache if the Board does not close it. Because of the notoriety created as a result of the petitions to the Board, the area would be in public use and would become a public nuisance with no parking and no drainage. He also emphasized that the quit claim deed to the area that was previously filed by Robert Rowe has not been withdrawn.

Robert Rowe stated that the section of Middle Street in question has been a right-of-way since 1912 and that the attorney which he has engaged has written a petition describing it as a public right-of-way available for the residents of the subdivision only, not for use by the general public.

Following the petition Commissioner Allen moved to close the portion of Middle Street from Purifoy Street to the Neuse River in Bridgeton Heights and to allow any ensuing disputes to be settled in the appropriate venue and to adopt the order presented by the County Attorney. Commissioner Morris seconded the motion. County Attorney, Jim Sugg, stated his belief that the matter could be resolved and an agreement be reduced to writing in a resolution which would be adopted in conjunction with the filing of Mr. Rowe's lawsuit by the Superior Court. He stated that the action of the motion made could ultimately result in a lawsuit that would involve the County. He recommended that the matter be postponed until the parties have an opportunity to work on an agreement. During discussion Commissioner Sampson stated his preference that the community work out an agreement rather than for the Board of Commissioners to favor a few to the detriment of others. Commissioner Harper suggested that Mr. Rowe be given an opportunity to remove his personal items which he has constructed on the section of Middle Street in question and for the Board to subsequently take action to close the road if it is not done by an established deadline. The motion carried with five (5) "Ayes", there being two (2) "Nays" from Commissioners Sampson and Staton.

EMS ADVISORY COUNCIL RECOMMENDATION

Emergency Services Director, Stanley Kite, presented the EMS Advisory Council's recommendations concerning renewal of the Tar Heel Ambulance Services franchise. He explained that the service has not functioned due to a turnover in management and lack of

communication and understanding. He stated that the company has a desire to perform in Craven County and that he supported the EMS Advisory Council's recommendation to grant a renewal for one year, allowing Tarheel Medical Transport an opportunity to demonstrate performance. Commissioner Allen moved to approve the recommendation of Mr. Kite and the EMS Advisory Council, seconded by Commissioner Morris. During discussion Commissioner Allen referred to the cap in the number of ambulance franchises in the County and inquired if there are any companies providing service that are waiting to receive a franchise. Mr. Kite responded negatively. The motion carried unanimously.

COMMISSIONERS' REPORTS

Commissioner Sampson commented on the rising gas prices and urged people to take a stand and voice dissatisfaction, bringing pressure to bear at the appropriate leverage point.

Commissioner Sisk extended condolences to Catholics on the loss of Pope John Paul II.

Commissioner Staton thanked the County Manager and his staff for participation in the Harlowe forum resulting from the East Carolina Council of Governments Clubfoot Creek Study. He stated that the community is working on resolving some of the problems that were identified.

Commissioner Allen announced the new Executive Director that has been hired by the North Carolina Association of County Commissioners.

Commissioner Morris reported on a meeting with Transportation Board Member, Cameron McRae.

At 8:25 p.m. Commissioner Morris moved to adjourn, seconded by Commissioner Sisk and unanimously carried.

Chairman George N. Brown, Jr.
Craven County Board of Commissioners

Gwendolyn M. Bryan, Clerk to the Board